

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jeffry Jovan Philyaw and David Kent Mathews  
Serial No.: 09/382,423  
Confirmation No.: 5217  
Filed: August 24, 1999  
Group: 2611  
Examiner: Rueben M. Brown  
For: METHOD AND APPARATUS FOR UTILIZING AN AUDIBLE SIGNAL  
TO INDUCE A USER TO SELECT AN E-COMMERCE FUNCTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

This communication is responsive to the Examiner's Office Action mailed February 9, 2006.

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.  
**Remarks/Arguments** begin on page 4 of this paper.